

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM M-5286 of 2015

Date of Decision: February 20, 2015

Balwinder Singh and another

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr., J.S. Moudgill, Advocate
for the petitioners.

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M.M.S. BEDI, J. (ORAL)

Petitioners are parents of Sandeep Singh. They have filed an application for protection of their life and liberty at the hands of their son. A direction was issued to SSP, Barnala to look into the matter.

The grievance of the petitioners in their representation which had actually not been received in the police station, was inquired into. An inquiry report annexure P-2 has been prepared and communicated to the petitioners. Conclusion arrived at by the police on inquiry is that the son of the petitioners wants to take his share in the property from the petitioners but

petitioners claim that they have already given his share to him, besides giving him the lease amount, which is not acceptable to Sandeep Singh.

This is second petition for direction under Section 482 Cr.P.C. claiming that Surinder Kaur, petitioner No.2 was never joined in the inquiry.

A perusal of the report annexure P-2 indicates that the complainant party did not join investigation and did not produce any evidence.

I have considered the contentions of learned counsel for the petitioners. This Court cannot sit in appeal against an inquiry conducted on behalf of SSP, copy of which has been placed on record as annexure P-2.

A perusal of the inquiry report indicates that petitioner No.2 had opted to stay away from the inquiry. This fact has been denied by counsel for the petitioners. The circumstances indicate that there is a clash of interest between the petitioners and their son Sandeep Singh over some ancestral property. Even otherwise, no cognizable offence appears to have been committed.

This petition is disposed of with a direction that in case of any imminent threat to the life and liberty of the petitioners or apprehension of breach of peace, it will be open to the petitioners to again approach to SSP, Barnala for specific averment pertaining to any act committed by Sandeep Singh or any of his associates. In case of said eventuality, the matter will be looked into by the SSP, Barnala. On the basis of vague allegations and mere apprehension, I do not find any ground to issue any directions.

Disposed of without prejudice to the rights of the petitioners to approach the concerned police officials in case of any threat of peace to their life and liberty.

February 20, 2015
sanjay

(M.M.S.BEDI)
JUDGE